

UNITED STATES DISTRICT COURT
WESTERN DISTRICT OF NEW YORK

SAMUEL M. ROBERTS,

Plaintiff,

vs.

LOS ALAMOS NATIONAL SECURITY, LLC, AWE,
PLC., MASSACHUSETTS INSTITUTE OF
TECHNOLOGY,

Defendants,
Third-Party Plaintiffs,

vs.

UNIVERSITY OF ROCHESTER

Third-Party Defendant.

NOTICE OF MOTION

Civil No. 11 CV 6206L

NOTICE OF MOTION

MOTION BY:	Los Alamos National Security, LLC
DATE, TIME & PLACE:	A Motion Term of this Court to be held on a date and time to be set by the Court, in the United States Courthouse, 100 State Street, Rochester, NY 14614.
SUPPORTING PAPERS:	Affidavit of Beryl Nusbaum, sworn to on November 14, 2012, and the exhibits attached thereto; Response to Plaintiff's Statement of Undisputed Material Facts dated November 13, 2012.
RELIEF REQUESTED:	An Order pursuant to Rule 56 of the Federal Rules of Civil Procedures and Local Rules 7 and 16 striking Plaintiff's Statement of Undisputed Material Facts; and granting Los Alamos such other and further relief as to the Court seems just and proper.

**THE MOVING PARTY
INTENDS TO SUBMIT REPLY
PAPERS.**

**ORAL ARGUMENT
IS REQUESTED.**

Dated: November 14, 2012
Rochester, New York

WOODS OVIATT GILMAN LLP

By: /s/ Beryl Nusbaum
Beryl Nusbaum, Esq.
*Attorneys for Defendant/Third-Party
Plaintiff Los Alamos National Security LLC*
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